

# **Exhibit 59**

## **Key response to Department of Labor**

September 18, 2017

State of Alabama

Department of Labor

Hearings and Appeals Division

ATTN: Donna Foshee Budlong

Montgomery, AL 36131

Re: Claimant Davita Key (xxx-xx-2138)

Telephone Hearing: 9/19/17 at 10:00 AM CDT

Dear Ms. Budlong:

Enclosed are the following documents to be considered during the hearing:

1. Response to Exhibit "A"-Reason for Claimant's separation
2. Response to Rules and Regulations for Security Officers signed by Claimant on 7/21/17.
3. Photograph of Claimant Davita Key's hair
4. Claimant Davita Key's first rebuttal dated September 15, 2017
5. Claimant Davita Key's second rebuttal date September 15, 2017

Respectfully,



Davita Key

## RESPONSE TO EXHIBIT "A"

1. On July 27, 2017, I went to training at Dynamic Security and at this training I asked Nicole Scavella if my hairstyle was appropriate for the position that I was working and she replied yes. I spoke with her because during my initial interview on July 19, 2017, both Ms. Gloria Robinson and Ms. Cassandra Williams (Ms. Robinson's supervisor) told me that I would have to go by the rules and regulations of Dynamic Security concerning my appearance. On July 31, 2017, both Ms. Cassandra Williams and Ms. Gloria Robinson saw me several times with my hair styled as in the attached picture and neither took me to the side to say that I was out of uniform due to my hair. Furthermore, when I informed Ms. Gloria Robinson and Mr. Maurice Chambliss that I was pregnant and presented them with a doctor's note saying I was cleared to perform all duties of the job that is when I was approached by Ms. Cassandra Williams and Ms. Gloria Robinson concerning my hairstyle. I asked Ms. Cassandra Williams if I could see the policy and she told me that she did not have to show me anything and Ms. Gloria Robinson told me that I had no right to ask to see such policy. I was sent home and told that I would have to wear a hat that covered my entire head. On August 1, 2017, I returned to work and I complied with what I was told and wore a hat in which all of my hair was covered. I never received anything in writing from Gloria Robinson that said my hairstyle was inappropriate for the jobsite.
2. On August 1, 2017, I was informed by Ray Cureton that they no longer wanted me at the Hyundai site. I have no knowledge of the Assignment Refusal Forms and neither was I shown them or signed them refusing any work. Mr. Cureton told me that he had jobs but they were not available at the moment.
3. Dynamic Security claims that I voluntarily quit because I refused assignments and according to the Assignment Refusal Form that was on August 1, 2017 but that contradicts the supporting document submitted by Dynamic Security of Ms. Nicole Scavella's statement. Ms. Scavella's statement says that I was offered two positions on August 8, 2017 and August 11, 2017. If I were offered these positions on the above dates in Ms. Scavella's statement, then clearly I could not have refused the assignments on August 1, 2017.

# DYNAMIC



## Security Officer's Handbook

### INTRODUCTION

This Handbook has been prepared to assist Security Officers by providing a definition of their general duties and responsibilities. The information is general since it would be impossible to include instructions relating to every situation. Any questions or lack of understanding of the contents of this manual should be directed to your supervisor.

This is issued with the understanding that the Officers will read and adhere to the rules and regulations discussed herein. Not doing so, could lead to disciplinary actions; and when you accept employment, it is assumed that you accept these rules and regulations.

Your employment can be terminated or suspended without cause and without notice at any time, at the option of Dynamic Security, Inc. (referred to in the Handbook as Dynamic Security).

### Section 6

#### PERSONAL APPEARANCE

Security Officers shall be neat and clean in appearance and shall adhere to the following standards:

##### Female Officers

- Shall maintain a neat hairstyle that keeps long hair away from the face and the hair should not extend more than two inches below the top of the collar. If hair extends more than two inches below collar, then it must be worn up when on duty.
- Hair accessories must be worn inconspicuously and be transparent or similar to the color of the Officer's hair.
- Cosmetics shall be applied conservatively and in good taste.
- Are limited to one stud earring per ear lobe.
- Are prohibited from wearing dangling jewelry over their uniform.

4. Officers will wear only those uniform items issued to them and/or approved by Dynamic Security, Inc.
5. Officers will not wear the uniform, complete or in part, while off duty except as necessary to commute to and from work.
6. Patches and other cloth insignia shall be clean and not frayed.
7. Items carried in the pockets shall not protrude or present a bulky appearance.
8. Disciplinary actions may be taken against any officer who does not comply with the policies and procedures set forth in this module.

#### 5.0 Appearance

When in uniform, security officers shall be neat and clean in appearance and shall adhere to the following grooming standards:

1. Hair shall be cut above the collar and above the ears and shall be neatly combed at all times. Females shall maintain a neat hairstyle that keeps long hair away from the face, and hair which extends more than two inches below the top of the collar should be pulled back.
2. Female hair accessories must be worn inconspicuously and be transparent or similar in color to the officer's hair. Male officers are expressly excluded from wearing any hair accessories.
3. No pigtales or ponytails will be allowed on male or female officers.
4. Neck hair and sideburns shall be neatly trimmed. Sideburns shall not extend below the bottom of the earlobe.
5. Cosmetics on female officers shall be applied conservatively and in good taste.
6. While no facial hair is preferred, it is acceptable if very neatly groomed.
7. Male officers are prohibited from wearing earrings. Female officers are limited to one stud earring per earlobe. All officers are prohibited from wearing dangling jewelry over their uniforms.
8. All officers are expected to practice good hygiene. This includes, but is not limited to, clean and trimmed fingernails, daily bathing, and use of deodorants and daily brushing of teeth.







